THE NECESSITIES AND WISDOM

OF

1861.

A SUPPLEMENT

TO THE SIXTH EDITION OF

SLAVERY AND THE REMEDY.

BY

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If "necessity is the mother of invention," in Political as in ordinary affairs, there is hope yet for the United States. This hope lies in the necessities of our condition, more uncontrollable now than seventy years ago, and showing themselves in all their stubbornness in the events of the times. These necessities no Administration can set at naught; and as decisively, no seceding or adhering States can set them at naught. Political necessities, like all others, compel obedience at last. Nations have no power to accomplish impossibilities. As easily may we remove the Alleghanies or turn backward the Mississippi and its Tributaries as set at naught an absolute necessity.

If the Slavery of the African race be one of the necessities of our condition, it will abide and extend itself as heretofore, through all the Southern West, against any will of the North, or the platform and promise of any party in power. . . If the Union of all the States East of the Rocky Mountains be another of those necessities, it will return inevitably against any will of the South, or the Secession and Confederacy of a few or all the Southern States.

These necessities were amply discussed four years ago in "Slavery and the Remedy," and the argument has been reiterated in various forms in subsequent Editions. They are not therefore, first thought of, amidst the greater turmoil of the present evil times, as suggesting the wisdom which may deliver us. In truth, it is those necessities overlooked which has brought on the fearful strife of 1861, and it may be years of confusion and blood. "The beginning of strife is, as when one letteth out water; therefore leave off contention before it be meddled with." If the North had pursued the course required by the one necessity; if the South had pursued the course required by the other necessity; the strife would not have begun, and its fearful floods would not be threatening to overwhelm us. But however, and whenever, the

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strife may end, be it more or less disastrous, the necessities of our condition will take their own course, and compel our obedience at last. The only question for this divided country to answer is, whether our obedience shall be with or without, after or before, the strife has flooded us with indescribable calamities. May God in mercy, grant, before we proceed to more disastrous issues, and to greater virulence of Sectional hatred, that our Political necessities may prove the mother of peaceful inventions. In the hope of aiding this result, we invoke our Countrymen to consider with utmost care THE NECESSITIES AND WISDOM OF 1861.

1. One necessity we assert to be, Slavery extended through all the Southern West—through all the semi-tropical regions of our country.

The African element in our population compelled recognition and provision more than seventy years ago. The sterner necessity, now, is still more compulsory; and justifies the assertion, that the continuance and extension of Slavery will be conceded, with whatever ameliorations, either now or after years of confusion and blood, as a Political and Philanthropic necessity.

This necessity is due in part to that essential equilibrium between the Slave-holding South and the non-Slave-holding North, illustrated at large in "Slavery and the Remedy," which will only become more manifest by years of Sectional warfare. After we have fought in deadly strife for five or fifty years, it will only be made more absolutely certain "that there can never be an over-ruling North, or an over-ruling South. The two great sections may influence and aid, they cannot direct and control each other."*—The necessity is due in part to the impossibility of removing the Slaves; for they have increased ten-fold in less than four-score years, and bid fair to increase ten-fold in another four-score years, and to require, as they have required hitherto, proportionate room for labor and a livelihood.—The necessity is due in part to their disadvantage in competition with the European race, which increases with the increase of both classes of laborers; and requires for the protection of Africans, that Capital shall "be held" to maintain labor, and that labor shall "be held" to maintain the Capital which provides for it, unless we would expose them to "the extremity of want and woe":†—and in part, even, to the fixed and absolute decision of the Northern States not to receive any large proportions of the race to share their own privileges and immunities.

Be our sectional strife longer or shorter, more or less disastrous to

* Slavery and the Remedy, p. 118. † S. and R., 20.

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both races, it cannot prevent—nay, it should not prevent the extension of Slavery through all the Southern West, as the only method by which we can make the provision as permanent and increasing as the people to be provided for. If the Northern Section is so nearly balanced by the Southern, that it cannot prevent the continuance and extension of slavery, then it must needs submit to the Political necessity. It cannot help it if it would. If it will not provide "free soil" for its share of the whole African population of the Country, then must it needs submit to the Philanthropic necessity. *It will not prevent slavery if it could.* There is no "Northern institution" ready to supply the place of the "Southern institution" we are striving so earnestly to limit or discard. Happy will it be for the slaves, if we discern the Political and Philanthropic necessity, before we have wrought for ourselves and them indescribable calamities.

2. The other necessity of our condition is the Union of all the States East of the Rocky mountains.

The Union elements in our condition compelled the Constitution of 1787, and its acceptance by eleven States before the summer of 1788 had passed, and by all in 1790. Necessity was the mother of those inventions by which the "more perfect Union" was formed. The sterner necessities of 1861 are still more compulsory, and the Union of all the present, and all the future States, from the Lakes to the Gulf, and from the Atlantic to the Rocky Mountains, will be accepted either now or after years of confusion and blood.

The necessity lies in part, in the conformation of our Country as it came from the hands of the Creator, as it was when the Constitution was formed, and still more in its present wide extent. The Eastern Slope connects as at first the original thirteen States by the Ocean and its rivers, and now the Central Valley of the Mississippi and its tributaries unites all the States of that Valley to the Gulf and to the Atlantic, and all into one great Family. The Southern States on the Atlantic and the Gulf of Mexico are united indeed by similarity of climate, production and labor, but not more indissolubly united by these similarities, than the Atlantic North and the Atlantic South, and the Gulf North and the Gulf South, by economical and physical conditions. There is no where a dividing line of latitude or longitude where the interests of one Section end, and the interests of another Section begin; where social intimacy and necessary business can give place to separation and estrangement. . . The necessity lies in part in our essential unity from the earliest periods of our history, by our common dependance on Great Britain, our adoption of its common law, and its method

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of making our local laws in Legislatures formed after the model of the British Parliament, by the English language displacing gradually all other European languages, and by like exposures to the French and Indians on our common Frontier. Even as Colonies, before we ever thought of independent Nationality, we were more closely united than England, Scotland and Wales. . . The necessity lies in part, in the effect of these primary causes. We were one people in the Declaration of Independence, 1776, and in all preliminary movements, in the Confederation of 1777 establishing "a perpetual Union, and forbidding any Confederation of States, without the consent of the United States," and in the Treaty of Peace, which acknowledged our Independent Nationality before the world. We were one people, in the acceptance of our National Device, E PLURIBUS UNUM, the Stars and Stripes, and the unfinished Pyramid, in the selection of our seat of Government within the Southern States, and in the Constitution for "a more perfect Union," under which we have been one People for more than seventy years.

United thus from the earliest settlements, never dreaming that we could ever be other than one united people, we have made every possible arrangement to make of our States, according to the letter of the Confederation, "a perpetual Union." We have connected the lakes with the rivers of the Atlantic and the Gulf by numerous canals, have constructed railroads from West to East and from North to South, by which the Territory we have acquired and the new States we have added, meet and mingle in more ready and speedy intercourse than the old Thirteen; and have stretched far and wide the telegraphic wires, by which we know in an hour the events of the remotest North and South and East and West. We have done our utmost to be forever one united people, to make separation forever impossible.

In a word,—We were one people, an informal Unity, from the first, by language, local governments and similar relations to Great Britain; —by our connection with each other by land and water and by mutual exposures and mutual efforts for deliverance. We were one people in the Declaration of Independence, in the Confederation of the States, in the whole Revolutionary struggle to its triumphant close, in the Constitution of the United States, and have been one people until now in all our added States. The Union did not begin when the several States voted their acceptance of the Constitution of 1787, for if there had not been a previous Union, the instrument for "more perfect union" would never have been formed or submitted. It did not begin in 1777 or 1776, for the Articles of Confederation and the Declaration of Independence would never have existed if the thirteen States had not been

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previously united by nature, Providence and history. The unfinished Pyramid, with the eye of Heaven watching and favoring our beginning, and introducing the "novus ordo seclorum," is our symbolic acceptance of the Unity of States, for ages and ages yet to come.* We are bound fast and have bound ourselves forever, for better or worse. We cannot quarrel ourselves apart. We may quarrel ourselves into the most undesirable of all human relations, a quarrelsome household.

If then, we are of necessity one people, Secession must proceed from mere temporary causes, from occasional forces, from artificial methods, against the normal condition of the United States, to which the seceded States must inevitably return. You may separate water by coffer-dams, but it will still penetrate every chink and cranny, and will unite again the moment the coffer-dam is displaced. You may separate the United States by as many coffer-dams as there are States, or into Northern and Southern Sections, but the divided waters will press outward and inward, and when the artificial division is no longer maintained, will resume their normal unity.

The rise and progress of Secession give proof that it is ab-normal, utterly inconsistent with our whole condition and history, with our fixed and permanent relations to each other. Men wonder at the course of the Seceded States, at the contrast between their words and deeds. In *words*, they resume a reserved and unquestioned right to withdraw from a Union entered at their will, and are perfectly ready to adjust equitably the debts and assets of the voluntary partnership. In *deeds*, they take forcible possession of the common property, thus securing "nine points of the law;" and summon, on the ground of "eminent domain," whatever has escaped their grasp, and assault and capture in actual war. If their deeds had conformed to their words, they would have proposed equitable and honorable terms for adjusting the common rights and obligations, and some mode of arbitration in case of disagreement. But since God and nature and history and their own most solemn pledges bound all the States together in perpetual unity, there was no other method of secession but by haste and violence, by aggression and rebellion, by revolutionary war, instead of peaceful and equitable proposals.

The very ordinance of Secession is historically inconsistent and void—no more separates each State from the Union, than it revokes the Declaration of Independence, and restores the rejected sovereignty of Great Britain. After that ordinance, each State is just

* Slavery and the Remedy, pp. 57, 58.

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as truly in the Union as before, and requires still aggression and rebellion to make Secession valid and complete. For what is the Ordinance of Secession, first, of South Carolina, and then of all the others? It simply repeals the Ordinance of 1788, accepting the Constitution by which "a more perfect Union" was formed. It does not revoke, nay, it could not revoke the pledge to "perpetual Union" in the old Confederation, and adopted under the compulsion of God, nature and history. If none of the States had accepted the new Constitution, would the mere negation have absolved the thirteen States from the Articles of Confederation, from the pledge of "perpetual Union," and to make no Confederacy with each other without the consent of the United States? Would South Carolina, Georgia, Virginia, have been absolved from their previous and unalterable obligations? Or, can these States, and the new ones bound by the same obligations, be absolved by revoking their acceptance of a Constitution making "a more perfect Union?" Are we not right in the assertion, that the ordinance of Secession no more separates any State from the Union, than it restores the authority of Great Britain; and that aggression and rebellion are indispensable to make secession valid and complete?

Except by revolutionary action—except by violence and seizure and actual war, there could have been no secession at all. The proposal to separate by consent, by agreement, on equitable terms, would have resulted like the proposals of united waters for an amicable separation without any barrier interposed. The result of such a proposal could only have been a Treaty of 1861, taking the place of the Treaty of 1787, i. e. of the Constitution. That this would have been the result, there is proof from the State which has led so many in its train. The elaborate essay of the celebrated Dr. Thornwell of Columbia, S. C., indicates the provisions even, which the new Treaty might adopt. "The most friendly relations (says he) can speedily be restored and the most favorable Treaties entered into. We should feel ourselves the joint possessors of the Continent, and should be drawn together by ties which unite no other people. We should indeed realize all the advantages of the Union without its inconveniences.—Let the two people maintain the closest alliance for defence against a foreign foe, or, at least, let them be agreed that no European Nation shall ever set foot on American soil." But what would such Treaties be but Union under a new form—a Sectional Union, in which each Section conceded to the other according to the manifest necessities of their condition?

Suppose at the point of hostilities at which we have now arrived, or at the more lamentable point to which we must arrive at any future

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period, the contending Sections should attempt to treat for peace. The only treaties which could end the Sectional war must needs regard all the interests of the contracting parties—must secure to the South its "peculiar institution" through the whole Southern West, and free labor through the whole Northern West to the North; the free navigation of all rivers, bays and gulfs—arrangements for mutual defence, and free intercourse by canals, railroads, telegraphic lines and post-offices; and for all the expenditures required by these mutual agreements. It would at the outset be a Sectional Union, and sectional interests being provided for, it would speedily become the old Union of States.

To such a result must our Sectional warfare at length come. It cannot end in any permanent subjugation of either the North or the South, in the holding of either by the other as a conquered Province. The time must come, when the evils of war will compel those "favorable treaties," with which Dr. Thornwell would have us begin. "At war, there may be a Southern and a Northern Union, but as with Nations naturally and Providentially distinct, the exhaustion of war compels to peace; so with States naturally and Providentially connected, it would end in re-union. On two sides of a boundary of blood, we may be for a season two Nations; until wearied and worn out with violence and rapine, we become prepared, not for peace between Nations, but for another Cycle of Union as a great National Family, as one great, undivided, English People, responsible as a whole for what belongs to the whole, and as parts, for what belongs to the parts."*

The only question before this divided Country, we repeat, is, whether both Sections will accept the necessities of their condition before or after, without or with, unmeasured confusion and misery—nay before or after, without or with, those embittering quarrels which shall make our necessary Union a curse;—"the very elements of equal, inseparable and blessed Union, rendering us more wretched because we can neither rule nor part, while ruin befals the house which each is engaged to sustain."† A million slain, and a hundred millions of debt for future generations, will not arrest the course of the one necessity or the other, or mitigate the bitterness of spirit, produced at such a cost.

Can it be the desire of the North to inflict and suffer years of Sectional warfare, in order to learn that the South has its Political right to carry its "peculiar institution," its property if you will, into its fair share of the Territories acquired in common; and that the well-being of the African race requires the extension as well as the amelioration of

* Slavery and the Remedy, p. 61. † S. and R., p. 120.

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Slavery? Can the South desire years of Sectional warfare, in order to learn that the Union was not formed at their will, cannot be dissolved by revoking the Ordinance of 1788, and that permanent dissolution is impossible? Do North and South desire years of Sectional warfare in order to "recover their senses, and be capable, as alien enemies to each other, of acting with a degree of mutual forbearance and justice, which if practised when they were united by the most sacred bonds, would have kept them friends forever."* *Surely this is not the wisdom of* 1861. Wisdom foresees the evil and provides for it, before, not after, calamity and ruin. The wisdom of 1787 yielded to the necessities of our condition and claimed only what those necessities permitted, before, and not after the most disastrous civil wars and the heart-burnings and hatred which such wars produce; and the wisdom has been proved by unexampled quietness and prosperity, by a wilderness subdued and peopled to the admiration of the world. Can the wisdom of 1861 be directly opposite?—to bring unmeasured disasters, mourning and woe—not only each Section upon the other—but upon both in common, as one body suffering with each several member? For the disaster, mourning, woe of North *or* South, must prove in ten thousand cases, disaster, mourning, woe, of North *and* South, so intimately are we blended together.

The wisdom of 1861 must be, to adopt, at once, the issues which will be forced upon us after ever so many years of Sectional warfare: for each Section to yield now what it will then yield, and to claim now, only what it will then claim, with forgiveness for the mutual errors and wrongs of the past, and on the part of the Government of the United States, the *amnesty* for political offences, which will at last be granted to the numbers, character, and declared principles of the offenders;—on condition that the offense shall cease and the amnesty be accepted within a limited time.

It is to be remembered, in favor of such conditional amnesty, that Nationality has been assumed on the Declaration of Constitutional grievances and a reserved right to secede at will, and that the whole attitude of hostility, even to extremity, is the legitimate result of the error assumed. Our condition of actual war is therefore due, to excited passions no doubt, but also to different interpretations of the Constitution, to oblivion of the obligations to "perpetual union" before the Constitution, and of the necessities of our condition which have held us in unity and prosperity from the earliest settlement of our common country. There are but two ways of settling the controversy. The one is,

* Rev. Dr. Breckenridge, in the Danville (Ky.) Quarterly Review.

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to anticipate the interpretation and the views which the most bitter and long-continued warfare will force upon us at last. The other is, to make the bloody experiment. Our fathers chose the former, instead of fighting to the death and involving future generations in the cost. They accepted a Constitution providing for all Sectional difficulties likely to arise, and as best they might, for the African element in our actual population. We, with that element increased ten-fold and with an essential equilibrium of Sections, which forbids any available subjugation of either, are in the greatest danger of choosing the other. At the present moment, there is not, to human eye, the slightest prospect, that the South will retire from the war so determinately begun; or that the North will decline the contest to the bitter end. There is every prospect that we shall out-Mexico Mexico, itself, with all the characteristic energy of our common race; and that the United States, instead of the admiration and resort, will become the disgust and avoidance of all lands; until, having learned by self-destruction the necessities of our condition, we become prepared, after years or ages, for the prosperity which we now recklessly reject. *Can such a course be the wisdom of* 1861?

In making any movement to prevent the horrors of civil war, the Government of the United States, plainly, can make no advances which must render all government nugatory. It cannot admit the right of secession, for then there could be no Government of the United States at all; no Government of the Southern Confederacy at all; no Government of any State at all, and even no Municipal Government at all. It cannot admit the right of any Southern State or Confederacy of States, to seize forts, arsenals, mints, custom-houses, treasuries, the common property of the whole; and to prepare munitions of war, and to make war, on their own mere assumption of Nationality: and while they remain in hostile array, it must inevitably prepare the utmost munitions of war, gather and dispose to the best advantage its increasing armies. The United States Government has no alternative but to resist and repel, at whatever cost of treasure and blood, until the Southern Confederacy shall relinquish forcible secession, and restore the spoils of the war they have begun.

But while thus meeting a Nationality which it cannot acknowledge, and a war which it did not begin, and depredations which no Nation can allow, it may declare in the face of the world, that it has no desire to reduce the seceded States to implicit obedience or to force them into an unwilling unity, or to avenge the wrongs which it deplores. It may invite the erring States, severally, or the Confederate States, so called,

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to submit to its consideration either those grievance or proposals, which should have been submitted, without secession, seizures, and hostilities; and may declare that in regular and authorized ways, it is ready to call the country to such righteous and equitable terms as the whole condition of the two Sections requires; including those which the beginnings of civil war and its fearful dangers may have already taught:—neither North and South needing to be longer "alien enemies" in order to "the mutual forbearance and justice," which will make "them friends forever." All this the United States Government can do, while mustering its forces, for the civil strife to which it has been compelled;—for the "ultima ratio" not only of Kings, but of divided Republics.

In proposing the "forbearance and justice" required by the Political necessities, as well as rights of both Sections of the Nation, in check of the civil war begun, we should do no more than our Fathers claimed of the British Government as more just and honorable than the attempt to subdue their rebellious subjects;—no more than Burke and Chatham urged their Government to do; no more than was done with those organized rebellions, which, thus met, contributed for ages, to the fair proportions and harmonious growth of the British Constitution.

We make this Appeal to the North and to the South, and to the Government of the United States, not in oblivion of manifold discouragements; but as five years ago, seeking the aid of Heaven, "fixing our eye amidst the darkness and the storm, upon the only and sufficient encouragement, THE THINGS WHICH ARE IMPOSSIBLE WITH MEN, ARE POSSIBLE WITH GOD."*

Wareham, Mass., May 6, 1861.

* Slavery and the Remedy, p. 6.

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